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2026:CGHC:9901

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1587 of 2026

Shubham Neware S/o Late Raju Neware Aged About 21 Years R/o Panchsheel Nagar, Charoda, P.S. Old Bhilai, District Durg, Permanent R/o Opposite Railway Station, P.S. Grp, Manendragarh, District Korea, Chhattisgarh
... **Applicant**

versus

State of Chhattisgarh Through SHO, Police Station Old Bhilai, District Durg (C.G.)
... **Respondent**

For the applicant : Mr. Shikhar Bhaktiyar, Advocate

For the State : Miss Sunita Manikpur, Govt. Advocater

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)

Order on Board

25.02.2026

1. This is first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant in Crime No.181/2025 registered at Police Station Old Bhilai, District Durg (CG) for the offences under Sections 137(2), 87, 83, 64(2)(m) of BNS 2023 and section 5(1) read with Section 6 of the Protection of Children from Sexual Offences Act.

2. As per the prosecution case, on 03.05.2025, the father of victim had lodged the report that his elder minor daughter aged about 17

years and 10 months was found missing since 03.05.2025 and an unknown person allured and enticed her away from their lawful custody. On such report, crime was registered and during investigation, the victim was recovered on 16.05.2025 when she was brought by her mother to the police station.

3. Learned counsel for the applicant submits that it is clear from the court statement of victim (P.W.2) that she had voluntarily accompanied the applicant to Manendragarh where she performed marriage with him on her own will and both they have resided as wife and husband and she stayed with him from 03.05.2025 to 14.05.2025, therefore, she was consenting party. He further submits that although the prosecutrix is stated to be minor yet the evidence of correct age has not been proved. He submits that the applicant is in jail since 17.05.2025 and till date out of a total 14 witnesses, 6 have been examined and there is no immediate possibility of disposal of case, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that at the time of incident, the victim was minor and she was forcibly subjected to sexual intercourse.

5. The victim along with her mother has appeared through VC from the concerned DLSA and raised objection to grant bail.

6. Having considered the submissions made by learned counsel for the parties and looking to the court statement of the victim and custody period of the applicant as also the fact that the trial is likely to take time, without observing anything on merits of the case, I am inclined to allow this bail application.

7. Accordingly, this bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed in that behalf.

Cc as per rules.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Rao